

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
v.	:	
	:	CASE NO:
DEWAYNE HOWELL,	:	7:22-cr-55-WLS-TQL-02
	:	
Defendant.	:	
	:	

ORDER

Before the Court is correspondence from Defendant Dewayne Howell requesting that the Court appoint new counsel to represent him going forward in his case (Doc. 152) (“Letter Motion”). By Order (Doc. 155) entered April 23, 2024, Defense Counsel was ordered to confer with Defendant on the matter and to attempt to resolve any issues. If unable to do so, counsel was directed to file an appropriate motion to withdraw as Defendant’s counsel. On April 23, 2024, Defense Counsel filed an *Ex Parte* Motion to Withdraw (Doc. 156) (“Motion to Withdraw”). Therein Defense Counsel, Jason B. Moon, advised the Court that he had received a copy of the Letter Motion from Defendant on April 18, 2024. Mr. Moon had also received Defendant’s Presentence Investigation Report (Doc. 153) (“PSR”) and had attempted to discuss both the Letter Motion and PSR with Defendant on April 23, 2024. Defendant advised Mr. Moon that he wanted new counsel and refused to discuss either the Letter Motion or the PSR with Mr. Moon. The Court scheduled a hearing on the Letter Motion and Motion to Withdraw for May 2, 2024.

During the May 2, 2024 hearing Defendant continued to express his dissatisfaction with his counsel. The Court concludes, due to Defendant’s allegations that are effectively allegations of ineffective assistance of counsel, that a conflict exists between Defendant and Mr. Moon’s continuing to represent Defendant during the sentencing and appeal, if any, phases of this case. As noted above, effective communication between Defendant and counsel has ceased.

Accordingly, for good cause shown, Defendant Dewayne Howell's Letter Motion (Doc. 152) and the *Ex Parte* Motion to Withdraw (Doc. 156) filed on behalf of Defendant are **GRANTED**. United States Magistrate Judge Thomas Q. Langstaff is hereby **DIRECTED** to appoint new counsel for Defendant Dewayne Howell. The sentencing hearing scheduled for May 23, 2024, will be rescheduled by separate order. Mr. Moon shall remain until new counsel enters an appearance.

SO ORDERED, this 3rd day of May 2024.

/s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT